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GROUP 3600

Applicant(s): Cofino et al.  
Docket No.: YOR920000611US1  
Serial No.: 09/654,202  
Filing Date: September 1, 2000  
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Examiner: Robert E. Rhode, Jr.

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: [Signature] Date: July 19, 2004

Title: System And Method For Visually Analyzing  
Clickstream Data With A Parallel Coordinate System

REPLY BRIEF

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Reply Brief is submitted in response to the Examiner's Answer dated March 23, 2004 in the above-referenced application.

ARGUMENT

In the Examiner's Answer, the Examiner reasserts the rejection of at least independent claims 1 and 19-20 as being unpatentable under 35 U.S.C. §103(a) over Papierniak et al. (United States Patent Number 6,175,838, hereinafter "Papierniak") in view of Yaginuma et al. (United States Patent Number 6,477,538, hereinafter "Yaginuma"). The Examiner asserts that "Papierniak is a reference that fairly suggests and teaches one of ordinary skill in the art that the Appellant's 'shopping steps' including 'clickthrough' and 'purchase' are fully disclosed." See page 4, §(11) of the Examiner's Answer.

Applicants respectfully disagree. Each of Applicants' independent claims 1, 19, and 20 contain limitations of (1) generating one session table for each session found from requests recorded in Web server logs, (2) generating one micro-conversion

table for each given session table, each micro-conversion table comprising one or more shopping steps; and (3) generating one or more micro-conversion visualizations of shopping steps from one or more of the micro-conversion tables.

In FIG. 6A, Applicants show a flowchart of a shopping step finder process, which is a process that finds “shopping steps.” The method teaches that certain requests for a session may be shopping steps and teaches how such shopping steps are determined from a set of requests in a session. Exemplary shopping steps are product impressions, basket placements, and purchases. See page 16, lines 1-10 of Applicants’ specification. Decision criteria are used to determine which request belongs to which shopping step. See page 16, lines 12-14 of Applicants’ specification. The shopping step finder process of FIG. 6A creates a set whose elements represent micro-conversions comprising one or more requests tagged as a particular shopping step. See page 16, lines 14-19 and limitation (2) of independent claims 1, 19, and 20. FIG. 6A and the text on page 16 of Applicants’ specification (among other part of Applicant’s specification) clearly illustratively define the term “shopping steps” and how such shopping steps are determined during generation of micro-conversion tables, as claimed in independent claims 1, 19, and 20.

Thus, as is described in FIG. 6A and its associated description, there are certain requests that meet criteria for a shopping step. Note that not all requests will meet the definition of a shopping step. For example, a Search Page 305 (see FIG. 3 of Applicants’ specification and page 13, lines 18-19) may or may not contain hyperlinks to products and therefore might not meet the definition of a shopping step. Furthermore, some webpages might meet criteria for one shopping step but not for another shopping step. For example, Home Page 301 might meet the criteria for a “product impression” for Product P1 304 but might not meet the criteria for a “product impression” for Product B1 308, because a link to Product B1 308 is not directly accessible by Home Page 301. See FIG. 3 and page 13, lines 4-19 of Applicants’ specification.

In the Examiner’s Answer, the Examiner appears to make an argument that because Papierniak teaches that it is important to gain information on a visitor’s navigation through a website and that information about requests made by a visitor are

stored in Papierniak, then Papierniak discloses to one skilled in the art the term “shopping steps” of Appellants’ claims.

However, Papierniak states multiple times that Internet data are kept as separate and non-correlated data records and are not meaningful without additional processing. See Papierniak at col. 2, lines 19-23 and lines 63-68, col. 4, line 63 to col. 5, line 12, and col. 5, line 62 to col. 6, line 11. Furthermore, Papierniak discloses a record in a server log at col. 6, lines 16-31. There is no indication in Papierniak as to whether this record is a product impression, basket placement, purchase, or other “shopping step” as this term is used in independent claims 1, 19, and 20 and used in Applicants’ specification. Moreover, Papierniak does not teach or imply any additional processing related to “shopping steps,” and instead, provides processing to correlate webpage files with other types of files. See, inter alia, Abstract of Papierniak.

Applicants’ disclosure describes exemplary processing that can determine which session data is considered to be a “shopping step.” For instance, limitation (2) of independent claims 1, 19, and 20 generally recites generating micro-conversion tables, where each micro-conversion table comprises one or more shopping steps. See also FIG. 6A and associated text of Applicants’ specification, as described above.

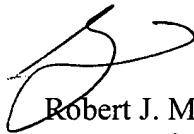
Consequently, Applicants respectfully submit that Papierniak does not disclose at least limitation (2) of independent claims 1, 19, and 20. Applicants also respectfully submit that Yaginuma does not disclose at least limitation (2) of independent claims 1, 19, and 20. In Yaginuma, Applicants can find no disclosure or implication of generation of micro-conversion tables, where each micro-conversion table comprises one or more shopping steps. The “data mining processes” in Yaginuma appear to be whatever data mining process is selected by a user or known data mining processes. See, for instance, col. 7, lines 30-35, col. 9, lines 26-28, col. 11, lines 27-31, col. 18, lines 36-38, and col. 20, lines 16-18. There is no disclosure or implication in Yaginuma that the “shopping steps” are determined through the use of a data mining process or through any other technique.

Because neither Papierniak nor Yaginuma disclose at least limitation (2) of independent claims 1, 19, and 20, the combination of Papierniak and Yaginuma cannot disclose at least limitation (2) of independent claims 1, 19, and 20.

In the Examiner's Answer, the Examiner stated that the Applicants did not address any arguments with respect to a provisional-type double patenting rejection that rejected the present application over copending U.S. Patent Application No. 09/653,888. With the present Reply Brief, Applicants submit a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application that is believed to overcome this rejection. Applicants respectfully request that the Examiner's provisional-type double patenting rejection be withdrawn.

For the reasons identified above and in the previously-filed Appeal Brief, Applicants respectfully submit that the §103(a) rejections with regard to at least independent claims 1, 19 and 20 are improper and should be withdrawn.

Respectfully submitted,



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